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been restrained from firing: Shays has been notified of his danger, and of the consequences which must ensue should he fire upon the troops of Government; his men have been invited to return to their homes and lay down their arms I hope they will attend to the advice.

I think those Towns, that sincerely wish to put an end to this rebellion, might render essential services in effecting so desirable an object. They should, by their advice, recall their men now in arms; they should aid in apprehending all abettors of them, and all who are yielding them any comfort and supplies:—

this would reduce them to submission and prevent the horrors so much feared.—

I am,

Gentlemen

Your obt Servt

B LINCOLN

Copy

4. *West Florida and its Attempt on Mobile, 1810-1811.*

The following five letters have been kindly supplied by Thomas M. Owen, Esq., of the Post-Office Department, Washington, from his rich collection of manuscript materials for the history of Alabama. They have to do with the history of the short-lived "State of West Florida," which, it will be remembered, arose out of an insurrection in West Feliciana in July, 1810, directed against the Spanish government. Baton Rouge being captured, independence was declared on September 26; but President Madison, by proclamation of October 27, and by instructions to Governor Claiborne, annexed the district to the United States (*American State Papers*, III. 395–398). On December 7 Claiborne took possession for the United States of the district south of 31° as far east as the Pearl River. The district between the Pearl and the Perdido remained in the hands of Governor Folch, of Mobile. Before this transitory republic went out of existence it had set on foot a plan for acquiring this eastward region, by the aid of the American settlers on the Tombigbee River (Washington County, Mississippi Territory) above Mobile. These settlers had been much incensed by the tariff restrictions imposed upon their trade by the Spanish authorities at the mouth of the river. The first letter shows the existence, as early as June, of an organization intended to revolutionize Mobile, ostensibly in the interest of King Joseph; the second exhibits it in a new aspect. The remaining letters show how, before Claiborne's suppression of the infant republic, designs of Kemper, Kennedy and their fellows were frustrated by the coöperation of Judge

Toulmin, Col. Cushing, of the United States army, and Governor Folch.[1] (See Pickett's *Alabama*, II. 236–238.)

Of the foot-notes to the ensuing documents, those which are biographical have been kindly furnished by Mr. Owen.

I. J. P. KENNEDY[2] TO Z. ORSO.

McIntoshs Bluff[3] 7th June 1810

Dear Sir

The Gentlemen who will deliver you this is a particular friend of mine. He is a member of the Mobile Society whose object he will explain to you. I sent some time since an agent of that Society to see you with letters and instructions. I know that you are an American at heart. Now is the important moment—I have at my command men and resources. As for the King of Spain he is out of the question. Do you wish to become a free subject of the Emperor of France or of his brother Joseph, you have only to say so and it is done. The bearer of this will explain every thing to you. If you are desirous of embarking in the cause of liberty and of your noble country, make your arrangements with my friend, or meet me at Sawmill creek, where I will explain every thing to you. Name the day when you will see me there say at the house of the Powells, and every thing can be explained and arranged.

Your friend

JOSEPH PULASKY KENNEDI

Mr. ZENON ORSO,
Mobile.

II. J. P. KENNEDY TO D. PEREZ.

19th July 1810

To the Commandant of the Town of Mobille

Sir

I have been informed that you have in your possession letters of mine relative to an intended attack on the Town of Mobille. As a member of the Mobille Society I can with certainty inform you that the citizens of these counties never will make an attack on that country without the concurrence of the general Government. If the Government should agree to such a thing as an officer I shall hold it my duty to give you

[1] It may be added that a letter of Col. Sparks to Secretary Eustis, dated January 12, 1810 (*Calendar of the Correspondence of James Madison*, p. 635), would seem to indicate that Kennedy's plans were formed and known at that early date; but a comparison with items on pp. 290 and 328 of that calendar causes one to suspect that the date should be July 12.

[2] Joseph Pulaski Kennedy was an early settler in the Mississippi Territory, and an ardent American. He was captain commanding the Mississippi rifle volunteers for 12 months, at Mobile, December 30, 1812; brigade-major to Brig. Gen. Claiborne; and was distinguished at the battle of the "Holy Ground" (in Alabama), December 23, 1813.

[3] In Washington County, on the Alabama River.

timely notice. This Society has its origin in the oppression which we have suffered from the Spanish Government in detaining a country which the Supreme law of the State has declared to be ours. We respect the subjects of the King that was of Spain, and as to yourself I have no difficulty in saying that you have my good wishes for your happiness. But I am astonished at the imprisonment of Z. Orso and the two Mr. Powells, men who never could have had notice of the existence of the Mobille Society men in whom we would not confide. I have friends and relations in that country whom I consider as Spanish Subjects, and as such would treat them. Any man that would change America for Spain never shall be my confidant. But to ease you of your unfounded fears I give you notice by this that on Sunday next I shall set out for the States, and shall not return untill October.

I am Sir with respect

JOSEPH PULASKI KENNEDY,
Majr. of 8th Regt. of Militia
of Miss. Terry.

The Honbl. D. PEREZ Commandant of the Town
of Mobille Louisiana.

III. H. TOULMIN[1] TO J. INNERARITY.[2]

FORT STODDERT[3] 15, NOVR. 1810.

Dear Sir,

I recd. a letter this morning from a respectable friend, an officer at Baton Rouge.[4]

[1] Harry Toulmin was the son of Rev. Joshua Toulmin, and was born at Taunton, England, 1770. He became a Unitarian minister, after receiving a thorough education. He was exceedingly bold in his theological and political views, and found it expedient to leave his home. Coming to America in 1793, he began teaching at Norfolk, Va., from which place he went to the presidency of Transylvania University, Lexington, Ky. In 1802 he became secretary of the state of Kentucky. In 1804 he was appointed by Mr. Jefferson judge of the Superior Court for the District of Washington (now in Alabama), Mississippi Territory. This office he held until the creation of the state in 1819. In his high office he was the representative of the United States in this quarter and was preëminently the greatest man of the period in that part of the state of Alabama (then Mississippi Territory). He compiled the *Laws of Mississippi Territory* in 1807, and in 1823 compiled Alabama's first *Digest of the Laws*, etc. He died in 1824.

[2] James Innerarity was a native of Scotland, came to the United States in 1796, and was leading clerk in the celebrated trading establishment of Panton, Leslie and Co., who had been engaged in a mammoth trade with the Southern Indians from the year 1783. This firm had houses at St. Johns, St. Augustine, St. Marks, Apalachicola, Chickasaw Bluffs and Mobile, with its principal establishments at Pensacola. In 1803 Innerarity became a partner. He resided in Mobile, took great interest in all public matters, and in 1817 was president of the commissioners of the town of Mobile. The members of this firm in all of the periods of its existence were Scotchmen. They were influential with the governments under which they lived, and exercised unmeasured control over the Indian tribes with which they dealt.

[3] In Mobile County, Alabama, on the river bank, four miles east of Mt. Vernon.

[4] This is probably the letter of John Ballinger to Judge Toulmin, dated Baton Rouge, November 3, 1810, which is summarized on p. 144 of the *Calendar of the Correspondence of James Madison*. The elections next mentioned are those of the new republic.

He tells me that a general election of Senators and Representatives which was to take place under the new Constitution, would be held on the 10th of this month,—that their councils are much divided,—a part being for the prosecution of the War and a part for waiting the determination of the U. S. and that *nothing but preparations* could be calculated upon until the new legislature met. The great mass of the people want nothing more than to become American citizens—but if the U. S. will not accept them "they will (says he) accept of any other protection that they can obtain. *Succours are now offered* (adds he) by the French equal to our present wants, and many true Americans, who are well acquainted with the cautious policy of the U. S. have no confidence in their interference and are willing to accept. But the majority will not consent to any propositions till they hear from the U. S."

O, that I had the tongue of an angel, never would I cease to vibrate in the ears of the Spanish officers, that by manly efforts on their part, they should struggle to awaken the U. S. from their lethargy.

Could the proposition for the transfer of Florida come from the Floridian authorities, and that from the highest source, surely the cautious policy of the American Govt. would hold out no longer—and the *knowledge of such an overture* would be such an appeal to the patriotism and Americanism of the new Baton Rouge assembly that they could not resist.

Kemper[1] talks in high style. He even indirectly has the assurance to threaten me with his future vengance—should he *eventually* be injured by the warnings which I have in several letters given to the people of this country to be aware of being seduced from their allegiance to the laws of the Union.

He maintains his right to invite speculators below the line.[2] He is misled by foolish men among us.

Colo. Cushing with three companies, as we learn by this day's mail is to be at Orleans on the 20 of this month on his way to Fort Stoddert.

Yours very respy,

H. TOULMIN.

JAS. INNERARITY Esqr.

[1] Col. Reuben Kemper, a native of Fauquier Co., Va., an early settler near Pinkneyville, Miss. He was a man of marked individuality, undaunted courage, and great physical strength. He took no pains to conceal his aversion to the Spaniards, and in consequence suffered many indignities at their hands. He was the agent of the revolutionary government of West Florida to the Tombigbee settlements, and among others he had a commission for J. P. Kennedy. In his movements he had the countenance of Col. James Caller, who was in command of the Tombigbee militia. His plans were to capture Mobile. He was in the Louisiana volunteers under Gen. Jackson at the battle of New Orleans, with the rank of colonel. While on a business trip to Natchez, Miss., he died, January 28, 1827.

[2] *I. e.*, the line of 31°.

IV. J. INNERARITY TO H. TOULMIN.[1]

Mobille 22 Novr. 1810

My Dear Sir

Your esteemed favors of the 20, came to hand last night. Every inhabitant of this province certainly owes you the greatest obligations for your endeavors to maintain peace. Gloomy as our prospects are I still hope your exertions will not prove altogether unsuccessful.

Governor Folch arrived here yesterday afternoon. I have had some interesting conversation with him today. He opened himself the subject of our present critical situation and informed me of some decisive steps that he had taken of which I was previously ignorant, but which you will have learnt from a letter written to you by my brother in his name, and which he now tells me to confirm to you in all points. He desires me moreover to add that provided no succours of any kind are given directly or indirectly by any of the inhabitants of your district to the agents of the Convention in their intended attack upon these parts of the province, he will abolish the duties paid at this port on American goods passing up and down the river and the said abolition shall take effect from the day on which he receives from you a notification that the expedition under Kemper and Kennedy is entirely laid aside and abandoned by all the inhabitants of your three counties.

If this grace does not wrest their arms from their hands nothing will remain for him to do but to oppose force with force and the duties will remain as formerly.

He has stated to me that mere motives of humanity have prompted him to this act as it is his desire to save the effusion of blood *between men who will probably soon become citizens of the same community.*

I hope this will arrive in time to prevent your neighbors from crossing the line in hostile array.

The bearer has orders to remain until you can return a decisive answer on this interesting subject. I entertain great hopes that you be able to send a favorable one.

You can communicate this to my friends Col McKee[2] and Captain Gains whom I have not time to write in answer their very much esteemed favors by Davy. Yours &c. J. I.

[1] Toulmin's reply to this letter, dated November 23, is summarized, together with others of his letters, in the Madison *Calendar*, p. 681. On p. 370 of the same is a summary of another letter of Innerarity, of November 24; on p. 298, of a letter of Governor Folch to Captain Edward P. Gaines (the captor of Burr, afterward Major-General), dated November 25, promising the abolition of customs duties mentioned in this letter.

[2] John McKee was born in Rockbridge County, Virginia, of Scotch-Irish parents. About 1792 he is found in the employ of Governor Blount, of the territory south of the Ohio River, as an agent to the Cherokees. Later he was agent to both the Choctaws and the Chickasaws, and it was largely due to his influence that these tribes were with the whites in the Creek war, 1812–1814. About 1819 he located at Tuscaloosa, Ala., and was both an officer in the land office and postmaster at that place. From 1825 to 1826 he represented the middle Alabama district in Congress. He was one of the commissioners to negotiate the Dancing Rabbit treaty with the Choctaws. He died August 11, 1832, in Greene County, Ala. All of his papers and MSS., 1792–1830, consisting of 1205 separate items, are the property of Thomas M. Owen, of Washington, D. C.

It will I think be proper to conceal the underruled lines until the full development of the plan in agitation.

The Honble. HARRY TOULMIN.

V. J. INNERARITY TO J. MCKEE.

Mobille 21st Jany, 1811

My Dear Sir

I wrote you about the middle of last month, informing you of the receipt at this place of the Presidents proclamation for taking possession of the Floridas. As Governor Folch in reply to Colonel Sparks communication on the subject, had intimated that he would not surrender this place without first consulting the Capt Genl. of Havanna, the Colonel thought it his duty to call out the militia, and he actually had them assembled and was on the very point of marching down with them, when Colonel Cushing arriving at the critical time, sent up contrary orders, and thus saved us once more from the firebrands of the Tombigbie.

Colonel Cushings prudent and conciliatory conduct has also in a great measure dissipated those hostile feelings that had been excited here by the previous proceedings, and he and our commandant begin to approximate each other. The Gunboats remain at anchor opposite the town, the troops are cantoned at our plantation, and Colonel Cushing with his family lives in the Dictionary Doctors house. Judge Toulmin was here a few days ago—he has been most abominably ill used by those three worthy gentlemen Kemper Caller[1] and Kennedy, because forsooth, he had set his face against their innocent plans, and had been the occasion of Coll Cushings ordering the militia to be dismissed and thus "slighting their patriotism, and snatching from their hands the prize which they were ready to grasp." For these horrible crimes, they have abused denounced, impeached, and burnt the poor Judge in effigy, as I have not a doubt they would have done this place in reality had their projects succeeded.

The Judge shewed me the bill introduced by Giles into the Senate on the 18th ulto. from the committee on Floridian affairs,[2] which he does not at all approve of, that is, the first section of it, which annexes this country to the Orleans Territory. Such however is the horror and dread with which the people of this place regard our neighbours the Bigbians that I believe they would generally be pleased with the measure. I myself candidly confess that as a temporary regulation I should prefer it to an immediate connection with Tombigbee, but not so, if it is meant to be permanent. We of this place, have no natural connection with New Orleans, our interests are not common at present, and they will be in oppo-

[1] James Caller emigrated from Warren County, N. C., to south Alabama, then the Mississippi Territory, about 1800; early became prominent; was in the territorial legislature; commanded the whites in the Burnt Corn engagement of the Creek war; and died December 3, 1819.

[2] As to Senator Giles's bill, see Henry Adams, *History of the United States*, V. 319–323

sition to each other, soon. If we are politically annexed to her, she will feel us as a tumor wasting her body and whose progress she will endeavor to retard. As we must be commercial rivals, she can never feel an interest in our prosperity, therefore it is unjust to subject us to her legislation. Our position with regard to that part of the Mississippi Territory bordering on the river and Pascagola, is exactly the reverse of what it is with regard to New Orleans. We are joined to the former country by the hand of nature, and our interests are one, as those of the heart and limbs, supplying blood and life and motion to each other. There are other parts of Mr. Giles' bill which will occasion animadversion if it passes in its present shape. For instance, when claims to lands under Spanish grants posterior to 1803 shall be laid before the Commissioners, it will be a difficult thing for them to decide on them "according to the laws on the subject actually in force for the Orleans territory" and at the same time "according to equity and justice." The latter would confirm all Spanish grants up to the date of taking possession, or at least to the date of the receipt of the Proclamation, (which was the first official notice given to these inhabitants that they were American citizens,) but the former, that is the law as it now stands, will confirm only the titles granted previous to the 20th Decr. 1803. I have not a doubt however, but this will be corrected, altho' some of our thoroughpaced demos are of a different opinion.

I see Mr. Poydras is endeavoring to get the Orleans territory erected into a State. His imperial and Royal majesty will smile if he succeeds.

I hear there is a great scramble for the loaves and fishes that this poor sand-bank and quagmire may eventually produce. Some of the pretensions are singular, and evidence at least the high opinion that the parties entertain of themselves. What do you think of the learned, intelligent, upright and brave Lieutenant Colonel of the Conventional Volunteers, Joseph Pulaski Kennedy for—a Judge ! ! ! and your friend Mr. Wilson Carman for a Collector !

From this long political letter you will also think I stand pretty high in my own opinion, a point which I shall not dispute with you, but only request you to believe me ever

Your friend

JAS. INNERARITY.

You may make any prudent use of this that you may judge proper.

J. I.

COLONEL JOHN MCKEE
City of Washington.[1]

[1] The address shows that the letter went to Washington City, as directed. It was then forwarded to Fort Hawkins, Creek Agency, arriving there April 3, 1811. It was then forwarded, the second time, to Fort Stoddert, Mississippi Territory, now south Alabama, reaching Col. McKee there on April 17, 1811. From this it appears that the addressee had returned to his post before the letter reached Washington.